

5/049/044

From: <Schmittdiel.Paula@epamail.epa.gov>
To: lynn kunzler <lynnkunzler@utah.gov>
Date: 8/23/04 2:27PM
Subject: Fw: Eureka: Lime Peak Quarry Permit Meeting 8-16-04

Lynn - Thank you for meeting with EPA and the USACE and its contractors to work out the transfer of the mining permits for the Lime Peak Quarry. Joe Shields summarized the meeting and responses to our questions. Hopefully, we captured the answers correctly. We should be submitting the transfer papers shortly and will submit the Large Area permit application soon thereafter. We'll be in touch. Please feel free to contact either Joe Shields or Tom Mathison if there are specific questions regarding the permits.

Paula Schmittdiel
EPA Remedial Project Manager
435-433-2157

----- Forwarded by Paula Schmittdiel/EPR/R8/USEPA/US on 08/23/2004 12:19 PM -----

"Shields, Joe"
<Joe.Shields@hdr
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To

Paula
08/23/2004 07:00 AM Schmittdiel/EPR/R8/USEPA/US@EPA,
Jude.T.Hobza@usace.army.mil,
"Jennings, William NWW"
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cc

Subject
Eureka: Lime Peak Quarry Permit
Meeting 8-16-04

See attached for meeting minutes.

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Please call/e-mail with any questions or comments.

Joseph R. Shields, PE
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<<Lime Peak Quarry Permit Meeting 8-16-04.doc>> (See attached file: Lime
Peak Quarry Permit Meeting 8-16-04.doc)

CC: <JShields@hdrinc.com>, <Tom.Mathison@shawgrp.com>,
<jude.t.hobza@usace.army.mil>

5/049/044



Memo

To:	Jude Hobza, Paula Schmittiel	Project	Eureka Mills Superfund Site
From:	Joe Shields		
CC:	Tom Mathison, Dave Bird,		
Date:	August 23, 2004	Job No:	

RE: August 16, 2004 Lime Peak Quarry Permit Meeting Eureka Mills Superfund Site Remedial Action Coordination Meeting with Potentially Responsible Party, Atlantic Richfield Company (AR)

1. **Attendees.**

Name	Organization	Phone
Paula Schmittiel	EPA	435-433-2157
Dave Bird	UDEQ	801-536-4219
Jude Hobza	USACE	435-433-2135
Joe Shields	HDR Engineering, Inc.	402-399-4833
Tom Mathison	Shaw E&I	412-380-6207
Jim Truman	Shaw E&I	435-433-2134
Daqron Haddock	UDOGM	801-538-5325
Lynn Kunzler	UDOGM	801-538-5310
Virgil B. Anderson	Anderson Engineering	801-972-6222

2. **What is the process for converting the permits to the EPA?**

- Use form available on the web page, one for each permit.
- There are three, five-acre permits that need to be converted, one in Anderson Engineering's name, one in AR's name and one in Flare's name.
- UDOGM allowed the three small mine permits next to each other only because of the short duration of the project (nine months).
- UDOGM would prefer these permits to be combined into a large permit if they are to be transferred. They will allow transfer of the small mine permits in the interim, as long as the large mine permit is being applied for.

3. **If the EPA holds the permit, will the State waive the bonding requirements?**

- State regulations require surety – a bond or a letter of credit. To get permits approved without surety requires approval from the Board.
- The Board meets the 4th Wednesday of each month. The next meeting is August 25th.
- It is too late to get on the agenda for this month's meeting. To get on the agenda would require emergency approval by the board.
- Bond required is for performance of restoration (performance bond).
- In Lynn's experience, previous federal government/EPA project have obtained bonds.
- For a small mine permit, the required bond value is \$5,000 for this first acre plus \$3,000 for each additional acre – a total of \$17,000 for five acres. For all three 5-acres this equates to \$51,000.
- Typically, a large mine requires less bonding per acre.

- If a letter of credit is used for surety, the bank issuing the letter of credit needs to be licensed to conduct business in the State of Utah.
4. **Can we expand the foot print of the 5 acre permitted area of the crushing area to allow more storage and stockpiling?**
- This would require a large mining permit.
 - Major differences between a large mining permit and a small mining permit:
 1. Small mining permit limited to 5 acres, large mining permit not limited in size.
 2. 30 day review versus 15 day review
 3. Large mining permit requires public notice
 - Large mining permit process averages 9 months.
 - UDOGM will allow a fourth permit for stockpiling, as long as the large mine permit is applied for.
5. **Can the rock crushing operation be moved to the quarry area? This would allow for more area for staging of material. Would this require modifications to the existing permits?**
- Would require a notification letter to be sent to UDOGM. Also need to notify MSHA.
6. **What are UDOGM notification requirements to shift the boundaries of the current 5 acre permit areas at the quarry? It is believed that shifting the foot print may increase the quantity of rock available.**
- Would require a notification letter to be sent to UDOGM.
 - If you reclaim areas, you can shift the 5 acre boundaries to exclude reclaimed area (floating boundaries); however, these areas need to be reclaimed for one year.
7. **What are the requirements to increase the permit area beyond the current area?**
- It depends whether the increase is considered by UDOGM to be non-significant or significant.
 1. Non-significant is an increase of less than 50% of the area and the new areas are not environmentally sensitive areas. Requires an increase in the bond, new mapping submitted to UDOGM and a two week review period.
 2. Significant requires for the permit to go back to public review.
8. **What notifications and submittals are required to be given to UDOGM prior to and during field activities?**
- Notify within 30 days after beginning of operations. Typically UDOGM is not too concerned about this requirement because most applicants begin work immediately.
 - Annual reports are due in January and annual fees are due in July.
9. **What are the notifications and field requirements for the quarry during dormant periods? Due to funding being provided on a yearly basis, and limited staging area, the actual operation of the quarry may be completed in phases.**
- If dormant for more than two year or planned to be dormant for more than two years, UDOGM requires notifications and may review current operation plans.
 - Notification letter must include explanation of how you will monitor the permit area during dormant period.
10. **Large Mine Permit Review:**
- Large mine permit review only involves UDEQ Division of Water Quality if seeps or streams are to be impacted. At Lime Peak Quarry, there are no streams of seeps that appear to be impacted.

- Air quality permit is separate and is to be pursued with UDEQ. Applicant needs to find out how to obtain this permit.
- Utah County typically will not get involved; however, they tried to get involved during AR permit process.
- The process for the permit review is as follows:
 1. Review and resubmission until tentative approval is reached.
 2. Public comment
 3. Applicant addresses substantive public comments. UDOGM decides what is substantive.
 4. Final approval and setting of bonding amount.
 5. Applicant supplies bond/surety.
- For this permit, we need to show that we are not impacting city wells.

11. Fees:

- Small mine permit - \$150
- Large mine permit, less than 50 acres - \$500

12. Borrow Operations Near Mining Operations

- Borrow operations are defined as the removal of topsoil and other overburden materials. As long as explosive blasting is not involved, UDOGM does not regulate this activity as mining. These operations are regulated by Utah County.
- UDOGM has no problem with borrow operation next to mining operations as long as the mining permit area is clearly demarcated - typically with t-posts or construction fencing.